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Summary of Stakeholders' submissions on Azerbaijan*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 20 stakeholders' submissions[1] to the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders

A. Scope of international obligations[2] and cooperation with international human rights mechanisms and bodies[3]

2. Forum 18 highlighted that Azerbaijan had not fulfilled its legally binding obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which led to a climate of impunity for officials and the absence of the rule of law, where unjust trials with flagrant breaches of due process are normal.[4]

B. National human rights framework[5]

3. Joint Submission1 (JS1) reported that the 2016 amendments to the Constitution were approved without any parliamentary debate or scrutiny of the proposals, amid a crackdown on journalists, activists and groups opposed to the amendments. It also stated that the

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referendum was plagued by reports of irregularities, including ballot stuffing and fraud. The said amendments included consolidation of the powers of the President and weakening of democratic checks and balances, including by weakening the Courts.[6]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination[7]

4. Joint Submission 3 (JS3) noted that there were indications that several transsexual sex workers were arrested by the police and that gay and transsexual people had been arrested in their apartments.[8] It recommended that Azerbaijan put an end to the government supported smear campaigns against lesbian, gay, bisexual, and transgender persons and prevent their arbitrary detention.[9]

5. Women and Modern World reported that about 150 homosexuals and transgender people were detained in Baku during police raids in mid-September 2017. More than a third of them were arrested for up to 30 days[10] and transgender women who were engaged in sex work in the streets suffered the highest level of abuse from both law enforcement bodies and society. Gender reassignment surgeries and hormonal therapy were not available in Azerbaijan, which considerably limits transgender women's access to employment.[11] It recommended that Azerbaijan conduct proper investigations on police blackmailing, harassment and violence against LGBT people, duly punishing those responsible and setting up administrative and legal frameworks to eradicate such practices as well as to develop a legal and medical system, which would allow transgender people to change their bodies and legal papers in accordance with their gender identity.[12]

Development, the environment, and business and human rights[13]

6. Crude Accountability reported that most villagers interviewed from the Sangechal, Massive III, Ezimkend, and Umid settlements near the Shah Deniz gas extraction site complained about air quality.[14] Concerns were expressed about lack of access to clean drinking water, absence of adequate sanitation facilities and infrastructure and sewage disposal, as well as soil contamination. It noted that villagers in Sengechal, Massive III, Ezimkend, and Umid also reported of abnormally high rates of deformities and mortality in livestock in the last several years.[15] It also highlighted Government authorities' insistence that it is illegal to build houses and infrastructure near the oil and gas fields thus not providing deeds to the existing houses. It further reported that schools in Ezimkend and Massive III were in bad condition, and lacked heating in the winter.[16]

7. Crude Accountability recommended that Azerbaijan invite the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy, and sustainable environment and the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health in order for them to assess the protection of the rights of communities living near oil and natural gas exploration and processing sites in Azerbaijan. It also recommended that the Ministry of Health conduct a timely investigation into the air, water, and soil quality in the affected villages.[17]

2. Civil and political rights

Right to life, liberty and security of person[18]

8. Organization for Defending Victims of Violence (ODVV) reported of torture and ill-treatment of human rights activists.[19] ODVV recommended that Azerbaijan should take all possible measures to eliminate torture and inhuman treatment with its citizens, specifically human rights defenders and members of religious groups.[20]

9. Human Rights Watch (HRW) emphasized that despite Azerbaijan's acceptance of numerous UPR recommendations "to take all necessary measures to eradicate the practice of ill-treatment and use of torture in detention," and "to ensure that all allegations of torture are effectively investigated," torture and ill-treatment continue with impunity.

10. By way of an example, HRW noted that at the January 2017 trial of those arrested in November 2015 in Nardaran, 17 men made credible allegations of ill-treatment in detention to coerce confessions and testimony against others. The men alleged that officers at the Interior Ministry Organized Crime Unit headquarters placed sacks on their heads, handcuffed them, and beat them with truncheons, including on their genitals and bottoms of their feet. Some also said that officials used electric shocks on them, and threatened to rape their wives or sisters. The men also alleged that police beat and kicked them in a police van upon detention. HRW highlighted that the authorities failed to effectively investigate these allegations.[21]

11. In this regard, HRW recommended that Azerbaijan: thoroughly investigate all allegations of torture and ill-treatment of detainees and hold perpetrators accountable; and make a statement at the highest level condemning torture and ill-treatment.[22]

12. Forum 18 stated that torture could be a part of raids on anyone exercising freedom of religion and belief. For example, in a September 2013 raid on a Jehovah's Witness family, police forced their way into their home and confiscated books including personal Bibles, money, and medical and financial documents.[23]

13. The Council of Europe Commissioner for Human Rights (CoE-HC) noted a general pattern of repression in Azerbaijan against those expressing dissent or criticism of the authorities, including human rights defenders, their lawyers, journalists, bloggers and other activists stressing that reprisals against the civil society of his Office make it increasingly difficult to work on human rights issues in Azerbaijan.[24]

Administration of justice, including impunity, and the rule of law[25]

14. International Bar Association Human Rights Institute (IBAHRI) reported that the number of qualified lawyers was alarmingly low[26] and that the Azerbaijani Bar Association lacked independence.[27] Meanwhile, JS3 also noted that the harassment and use of disciplinary sanctions against independent lawyers was a cause for serious concern. Threats of disbarment or temporary suspension were used to discourage lawyers from taking on politically sensitive cases and from making appeals.[28]

15. Similarly, International Commission of Jurists (ICJ) reported that the bar association suffered from serious institutional weakness and did not operate as self-governing institution.[29] It recommended that the independence and role of lawyers must be respected by all institutions of the State and by all public authorities.[30] It also recommended that governmental authorities, in co-operation and consultation with the Bar Association and with lawyers themselves, should take steps to ensure that lawyers are protected from intimidation, hindrance, harassment or other improper interference in their work.[31] Lawyers for Lawyers (L4L) raised similar concerns and provided individual examples of harassment and removal of lawyers from cases and criminal proceedings initiated against them.[32]

IBAHRI also noted cases of human rights lawyers who were disbarred by the Azerbaijan Bar Association.[33]

16. The Group of States against Corruption of the Council of Europe (CoE-GRECO) recommended that the objectives of safeguarding and strengthening judicial independence be explicitly stipulated in the mandate of the Judicial Legal Council (JLC), and that the role of the judiciary within the JLC be reinforced notably by providing for not less than half of its members to be composed of judges who are directly elected or appointed by their peers, and by ensuring that the JLC president is elected from among the JLC members who are judges.[34]

Fundamental freedoms and the right to participate in public and political life[35]

17. ADF International (ADF) noted that religious freedom was not respected to the fullest extent in practice, required by international law as the right to manifest one's religion was limited by rules that prohibit the ability of any religious community to freely evangelize and proselytize, and by restrictions placed on certain "non-traditional" religious groups regarding registration and free operation.[36]

18. European Centre for Law and Justice (ECLJ) noted that the Government used restrictions to stifle its minority citizens' rights to freedom of religion.[37] It also noted that the State Committee for Work with Religious Organisations (SCWRO) continued to increase its control of religious communities with prohibitions on media, publications, the dissemination of information, and proselytism.[38] ECLJ, Freedom Now and ADF reported that religious groups in Azerbaijan were required to register with the government through complex and onerous process,[39] and were often either denied the registration or kept waiting for the application to be processed and provided examples in that regard.[40]

19. Forum 18 reported of cases of torture for practicing one's religion and other violations, including closure of Sunni Muslim mosques.[41] Freedom Now reported similar concerns.[42] Forum 18 noted that on 1 March 2016 as part of a new Code of Administrative Offences added a penalty of deportation for foreigners "guilty" of sending individuals abroad for religious education without permission and selling state-approved religious literature and materials away from places where the state allowed them to be sold.[43] These latest Administrative Code changes followed December 2015 changes to the Criminal Code targeting those who lead Muslim worship after having gained religious education abroad.[44]

20. JS1 noted Azerbaijan's practice of targeting critical or dissenting voices with politically motivated arrests on spurious charges, extended pre-trial detentions and custodial sentences. It highlighted that there were waves of arbitrary arrests and detentions prior to and around significant events.[45] JS1 also provided a list of individuals belonging to political opposition, who were arbitrarily arrested or detained on politically motivated charges.[46] Joint Submission 2 (JS2), IPHR, Human Rights Watch and Freedom Now highlighted, among others, the case of Ilgar Mammadov, leader of the Republican Alternative Movement, who remained in detention.[47] JS2 also noted the wave of arrests of dissenting voices prior to the 2016 constitutional referendum.[48]

21. Human Rights Watch and Freedom Now reported that in 2015 and 2016, authorities released about 17 human rights defenders, journalists and political activists, but none had their convictions vacated.[49] JS1 noted that released political prisoners were commonly unable to return to their previous work and political activities. Many had not had convictions quashed, are under surveillance, face travel bans, and ongoing harassment.[50] JS1 called for immediate and unconditional release of all persons arbitrarily detained for exercising their rights to freedom of expression, as well as cease the arbitrary arrest and detentions of individuals for politically motivated reasons.[51]

22. JS1 provided a list of individual cases of journalists and bloggers who faced death, intimidation and threats, while the perpetrators faced impunity. It recommended that Azerbaijan take measures to ensure the safety of journalists, in line with Human Rights Council resolution 33/2, including by condemning violence against journalists and ensuring speedy, impartial and thorough investigation into such cases, among others.[52] JS2, IPHR and Human Rights Watch provided a list of journalists who had been particularly targeted, including cases of arrests and sentencing.[53] Freedom Now stated that Azerbaijan increased the maximum term of imprisonment under the Administrative Code and now it equals minimum detention term under the criminal code.[54]

23. JS1 noted that the authorities dominated the country's media landscape, through regulations, direct ownership or indirect economic control and that many independent media outlets had been forced to close or go into exile, with those still operating inside the country subject to police raids, financial pressures, and prosecution of journalists and editors on politically motivated charges.[55] JS1, IPHR, Human Rights Watch and Freedom Now provided a list of media outlets that were forcibly closed or targeted by the authorities.[56]

24. JS1 noted the 2017 amendments to the laws on "Information, Informatisation and Protection of Information" and "Telecommunications", extending government control over online media.[57] It reported that access to a number of online new sites with content critical of the government were blocked in Azerbaijan without informing the hosts or owners of these outlets in advance.[58] JS1 recommended that laws should be reformed to remove reference to prohibitions on content that do not comply with international human rights law on freedom of expression, and to ensure that websites are only blocked on the basis of an independent court order and are strictly proportionate to the aim pursued. It also recommended decriminalizing defamation fully, including by reversing the introduction of heightened penalties for online forms of defamation, repealing Articles 148, 148-1, 323.1, and 323.1-1 of the Criminal Code.[59]

25. Human Rights Watch and JS1 noted the amendments to Articles 148 and 323 of the Criminal Code, creating a new offence of "slander or insult" through "fake user names, profiles or accounts", as well as increasing penalties for "smearing or humiliating the honour and dignity" of the Azerbaijani president where the offence is committed online. The Government had not acted on its 2011 proposal to decriminalize defamation, which currently carries a sentence of up to 3 years in prison. [60] In this regard, the Office of Democratic Institutions and Human Rights, Organization for Security and Co-operation in Europe (OSCE-ODHIR) recommended: that consideration should be given to repealing criminal defamation provisions in favour of civil sanctions designed to restore the reputation harmed rather than compensate the plaintiff or punish the defendant, and that sanctions should be strictly proportionate to the actual harm caused and the law should prioritize the use of non-pecuniary remedies.[61]

26. IPHR and JS1 noted the 2013 and 2014 amendments to the 2011 Law on Non-Governmental Organisations (Public Associations and Funds), which provided the government with broad discretion to dissolve, impose financial penalties on, and freeze the assets of NGOs for infractions of administrative regulations, closing the few remaining loopholes for the operation of unregistered, independent, and foreign organisations.[62] JS1 noted that the 2014 amendments established a de facto licensing regime for NGOs, giving the government broad discretion to arbitrarily refuse or delay the registration of grants, as well as made it much harder for foreign entities to provide grants to local NGOs, requiring them to have an agreement with government ministries.[63] JS2, JS3, and Human Rights Watch raised similar concerns.[64]

27. JS1 also noted that the President signed into law a decree on the Simplification of Registration of Foreign Grants in Azerbaijan, effective from 1 January 2017, which did not

address the legal requirement for NGOs to register grants, and did not change the broad discretion of the authorities to arbitrarily deny grant registration.[65] JS1 recommended that Azerbaijan comprehensively reform all laws limiting the right to freedom of association, in particular the 2011 law on NGOs and the 2013 and 2014 amendments thereto, and bring them in line with international human rights law.[66]

28. With regard to the right to freedom of assembly, JS1 noted that on 14 May 2013, amendments to the Code of Administrative Offences increased the penalties for "organising, holding and attending an unauthorised assembly" to 60 days' detention.[67] JS2 raised similar concerns.[68] JS1 and IPHR also noted that police used unlawful and disproportionate force to disperse protests, and participants in peaceful assemblies had been arbitrarily detained. They provided examples of arrests for participation in unauthorized protest.[69] Freedom Now reported that 185 persons were detained for participating in authorized rally against referendum on constitutional amendments.[70] JS1 recommended that Azerbaijan comprehensively reform the 2008 Law on Peaceful Assembly (as amended) and the 2013 amendments to the Code of Administrative Offences, including by removing penalties for "unauthorised assemblies", and removing blanket prohibitions on assemblies in the centre of Baku, ensuring that any location-based limitations are necessary and proportionate.[71]

29. OSCE-ODHIR noted that the 9 October 2013 presidential election was undermined by limitations on the freedoms of expression, assembly and association that did not guarantee a level playing field for candidates. It also noted that there were continued allegations of candidate and voter intimidation and a restrictive media environment.[72]

Prohibition of all forms of slavery[73]

30. The Council of Europe Convention on Action against Trafficking in Human Being (CoE-GRETA) recommended that Azerbaijan take further action particularly in the following areas: strengthening action to prevent and combat trafficking for the purpose of labour exploitation, in particular in sectors at risk such as construction, agriculture and domestic work; developing the aspect of prevention through social and economic measures for groups vulnerable to human trafficking, securing the registration of all persons, as well as discouraging demand for services from trafficked persons; further improving the identification of victims of trafficking, in particular by strengthening the involvement of specialised NGOs and other frontline actors in victim identification, and improving the detection of victims of trafficking among children and irregular migrants; strengthening efforts to provide assistance to victims of trafficking and facilitate their reintegration into society, including by securing funding for assistance measures provided by NGOs; adopting further measures to facilitate victims' access to compensation; improving further the knowledge and sensitivity of investigators, prosecutors and judges about human trafficking and the rights of victims, with a view to ensuring that human trafficking cases are investigated and prosecuted promptly and effectively, leading to proportionate and dissuasive sanctions; and making full use of the measures available to protect victims, witnesses of trafficking and NGOs supporting victims to ensure that they are adequately protected from potential retaliation and intimidation.[74]

Right to privacy and family life[75]

31. Women and Modern World noted that the Programme of Family Planning propagandized actively against early marriages, marriages among close relatives and other specific characteristics of the demographic situation in the country. It also highlighted the serious problem of distorted sex ratios observed broadly in regions of Azerbaijan.[76]

32. Women and Modern World also noted that gender-based restrictions represented one of the key issues in the field of sexual and reproductive rights for both women and men.

The society valued men over women because ethnicity and family name was passed through men. Many families decided to abort female foetuses.[77]

33. According to Women and Modern World, most lesbian, gay, bisexual and transsexual persons (LGBT) live with their families because of family pressure and the social norm that a child should live with their family until marriage. Very few LGBT people tell their families about their sexual orientation or gender identity fearing being disowned or forcibly married.[78]

3. Economic, social and cultural rights

Right to work and to just and favourable conditions of work[79]

34. The European Committee of Social Rights (CoE-SR Committee) concluded in 2016 that in practice, the free exercise of the right to form trade unions was not ensured in multinational companies; there was not an adequate and proportionate compensation to the harm suffered by a worker discriminated against for having joined a trade union; and the social and economic interests of the police were not protected by professional organisations or trade unions.[80]

35. The CoE-SR Committee concluded in 2016 that: public employment services did not operate in an efficient manner; legislation did not provide for a shift in the burden of proof in gender discrimination cases; women were not permitted to work in all professions which constitutes discrimination based on sex; and the unadjusted gender pay gap was manifestly too high.[81]

36. Women and Modern World noted surveys that found that about 30 per cent of women experienced sexual harassment at work and the social perception that women should quit their job if they experience sexual harassment from their employer or a co-worker.[82]

37. The European Commission against Racism and Intolerance (CoE-ECRI) noted that informal employment was widespread in Azerbaijan. In 2014, the authorities identified about 37,420 migrants in an irregular situation. It recommended that the authorities step up their efforts to ensure that employers declare all migrant workers and to remove the obstacles to registration of migrant workers.[83]

Right to social security

38. The CoE-SR Committee concluded in 2016 that access to social services by nationals of other States Parties was subject to an excessive length of residence requirement.[84]

Right to an adequate standard of living[85]

39. The Council of Europe Commissioner for Human Rights (CoE-HC) expressed concerns about the effective enjoyment of the right to property in the context of the ongoing general urban renewal of Baku. He called on the authorities to ensure that all further expropriations and demolitions are carried out in a lawful and transparent manner. He also emphasized that the authorities should also provide fair market value compensations and allow access to an effective national remedy for those who would like to impugn the decisions against their properties.[86]

Right to health[87]

40. The CoE-SR Committee concluded in 2016 that the measures taken to reduce infant and maternal mortality have been insufficient, and that public healthcare expenditure is too

low. It also concluded that legislation did not prohibit the sale and use of asbestos, and that adequate measures were not taken to prevent accidents.[88]

41. Women and Modern World stated that the high incidence of maternal and infant death in Azerbaijan was connected primarily to three factors: 1) low degree of awareness and knowledge of reproductive health of women, even though the State is making efforts to change this situation; 2) low qualifications of doctors, even though State facilities provide free-of-charge care for pregnant women; and 3) widespread poverty among the population, even though traditionally special attention is paid by families to the proper nourishment for pregnant women.[89]

42. With regard to sexual and reproductive health, Women and Modern World reported that the majority of the population did not yet have full enjoyment of their right to sexual health, nor enough awareness and knowledge of health issues in general and sexual issues in particular.[90] It reported that selective abortions, i.e., abortions committed because the sex of the child is female, was a serious problem in Azerbaijan.[91]

43. Women and Modern World stated that forced HIV testing enforced by law enforcement bodies was common among the key affected populations such as sex workers, injection drug users and men who have sex with men. It recommended that Azerbaijan take measures to: stop forced testing of key populations affected by HIV/AIDS; conduct public campaigns on raising awareness about HIV prevention and testing targeting the affected groups, specifically migrants, young people, sex workers and injecting drug users; and ensure free treatment for people living with HIV.[92]

Right to education[93]

44. Women and Modern World stated that families limited their daughters' access to education to protect 'family honour' through not allowing them to enter universities in other cities.[94]

45. Women and Modern World also highlighted that girls frequently left school at just 13–14 year olds, but schools usually kept silent about it. According to statistics, the number of girls from the regions applying to go on to higher education was low. In larger towns, girls did not usually have problems obtaining a higher education; however, there were widespread stereotypes about such diplomas obtained by girls being more of a 'dowry'.[95]

46. The CoE-ECRI highlighted that under the new legal framework of Azerbaijan, the right to education of many foreigners was limited by quotas and agreements concluded by the educational institutions (Article 44.1 of the Law on Education).[96]

4. Rights of specific persons or groups

Women[97]

47. JS3 reported that as of September 2017 there was no National Action Plan on implementing the Law on Domestic Violence, adopted in August 2010 and of the increasing number of murders of women, mostly by their husbands, former husbands or partners.[98] JS3 also noted the lack of action by the State to offer solutions for women victims of domestic violence and lack of prosecution of authors of such violence.[99] Advocates for Human Rights (AHR) noted the anecdotal evidence suggesting that domestic violence resulted in many murders and apparent suicides, but statistical reporting on homicide and suicide was not dis-aggregated based on factors such as sex or as to whether the victim experienced domestic violence.[100]

48. AHR stated that domestic violence in Azerbaijan was prevalent with 43% of women had experienced domestic violence,[101] whereas Women and Modern World cited even

higher percentage.[102] Harmful stereotypes about women's traditional role in the family and society prevailed[103] and that, despite some improvements, the police still held misperceptions that domestic violence issues should stay within the home.[104] AHR recommended that Azerbaijan intensify efforts to promote and protect women's rights, combat domestic violence, and promote gender equality.[105] It also recommended, in particular, implementing the laws, adopting measures to ensure reforms on gender violence, and considering development of a national action plan to promote women's rights.[106]

49. Women and Modern World recommended that the authorities assess the situation of sexual harassment in the society and take measures to implement the existing legislation provisions.[107]

50. Women and Modern World also reported that in case of rape the families usually tried to cover it up and, if a victim was single, might offer her the possibility to marry the perpetrator. Reporting a rape was also a long and humiliating endeavor.[108] It recommended that Azerbaijan include marital rape in the current legislation and raise public awareness about the issue of consent in sexual relations as well as implement the appropriate mechanisms for women to be able to report rape cases.[109]

Children[110]

51. The CoE-SR Committee concluded in 2016 that children over 16 but under the age of 18 may be held criminally liable for prostitution; that children were not protected against the misuse of information technologies; and that not all forms of corporal punishment were prohibited in the home and in institutions.[111]

52. The CoE-SR Committee also concluded in 2016 that children who are still subject to compulsory education were not guaranteed an uninterrupted rest period of at least two weeks during summer holiday.[112]

53. Global Initiative to End All Forms of Corporal Punishment (GIEACP) reported that corporal punishment of children in Azerbaijan was lawful in the home, alternative care and day care settings and that it was unlawful in the penal system and in schools.[113] It recommended that Azerbaijan enact the draft Law on Protection of Children Against All Forms of Corporal Punishment to clearly prohibit all corporal punishment of children, however light, in every setting of their lives, as a matter of priority.[114]

54. Women and Modern World reported that child marriage was an acute problem in Azerbaijan[115] and that girls frequently left school at just 13–14 year olds.[116] It also reported that religious marriages left women without any legal claims in case of divorce, death of the spouse or child support, while a temporary marriage blessed by the religious authorities could happen parallel to the officially registered marriage with a different woman.[117] It recommended that Azerbaijan continue and improve the current efforts to eliminate child marriages as well as ensure that girls had completed secondary education before getting married.[118]

55. Women and Modern World reported noted high levels of infant mortality in Azerbaijan[119] recommending that Azerbaijan fully implement the "Action Program on Protection of Mother and Child Health" and ensure that all programs for maternal and infant health reach the rural areas, where the situation was even more serious than in the cities.

Persons with disabilities[120]

56. The CoE-SR Committee concluded in 2016 that Azerbaijan had not yet established the requirement that employers should make reasonable accommodation for persons with disabilities.[121]

57. In addition, the CoE-SR Committee concluded in 2016 that there was no legislation explicitly protecting persons with disabilities from discrimination in training.[122]

Minorities and indigenous peoples[123]

58. The Advisory Committee of the Council of Europe Framework Convention for the Protection of National Minorities expressed concern that the overall legislative framework pertaining to national minorities continues to be vague; a comprehensive system to collect information on the specific obstacles faced by persons belonging to national minorities in accessing rights is lacking; and that special measures to promote their full and effective equality are required.[124]

59. Unrepresented Nations and Peoples Organization (UNPO) stated that the 2009 census falsely reflected the complexity of the ethno linguistic map of Azerbaijan: the number of Lezghins as well as other ethnic minorities was intentionally decreased as an Azeri ethnic identity was imposed on many of them.[125] It noted that ethnic minorities no longer had the right to communicate with the local government in their own language.[126]

60. UNPO also noted that Talysh were prevented from receiving education in their native tongue and that lessons in Talysh from 1st to 4th grades were mandatory only on paper. It further noted that in practice, language classes had been replaced by other extracurricular activities and there remained a shortage of Talysh speaking teachers leading to the disappearance of Talysh language lessons in most schools.[127] UNPO highlighted that the Government did not provide sufficient teaching school materials in the languages of ethnic minorities. It further stated that Lezghin was taught as a foreign language in schools of the Qusar region, where 95% of the inhabitants are Lezghins and that the Lezghin textbooks that were available were imported from Russia and were not adapted for contemporary teaching.[128] UNPO also reported that there were no television channels broadcasting in minority languages and that there was no newspaper or TV programme providing information in Lezghin.[129]

61. UNPO reported that many Lezghins preferred to be identified as Azeris to avoid job discrimination, while many young Talysh were leaving to Russia to find work.[130] UNPO noted that poor education and medical services and high unemployment rates among Lezghin and Talysh populations had led to the desertification of these ethnic villages.[131]

Migrants, refugees, asylum seekers and internally displaced persons[132]

62. The CoE-ECRI regretted that no comprehensive current data were available in Azerbaijan on migrants' living conditions and countries of origin. It encouraged the authorities to develop a set of indicators and regularly collect current statistical data on these indicators in order to evaluate and improve the integration and the living conditions of migrants and their families in core areas such as educational outcome, labour market access, health and housing.[133]

63. The CoE-ECRI also regretted that the authorities had not developed an action plan or overall integration strategy addressing the integration needs of migrants in core areas such as housing, health, employment, education, equality and protection from discrimination.[134]

64. While welcoming the fact that the authorities had undertaken considerable efforts to improve the historical minorities' access to public services and to the labour market, the CoE-ECRI noted that many minorities inhabiting rural and mountainous areas still suffered from higher degrees of poverty and below-average health and education services.[135]

65. The CoE-ECRI noted that among the refugees and asylum seekers in the country (about 1,500 at the end of 2015), the largest groups were Afghans, followed by Chechens

and Pakistanis. The number of recognised refugees (about 4 per cent) was low. Chechens were denied access to the asylum procedure and there are no provisions on subsidiary protection.[136]

66. The CoE-ECRI also noted reports indicating that members of minorities are subject to discrimination and that officials perceive some minorities as a threat to the country. Enrolment in preschool education was generally low. It is often detrimental to children belonging to minorities, who should acquire, in addition to their mother tongue, sound knowledge of the official language before attending primary school.[137]

Stateless persons

67. The CoE-ECRI considered that the blanket prohibition for foreign nationals and stateless persons "to issue religious propaganda" (Article 76.6 of the Migration Code) and the official statement that they are not allowed to be members of a political party could not be justified, and that these discriminatory provisions should be removed.[138]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

ADF International	ADF International;
AHR	Advocates for Human Rights;
Crude Accountability	Crude Accountability;
ECLJ	European Centre for Law and Justice;
Freedom Now	Freedom Now;
Forum 18	Forum 18;
GIEACP	The Global Initiative to End All Corporal Punishment of Children;
HRW	Human Rights Watch;
IBAHRI	International Bar Association's Human Rights Institute;
ICJ	International Commission of Jurists;
IPHR	International Partnership for Human Rights;
L4L	Lawyers for Lawyers;
ODVV	Organization for Defending Victims of Violence;
Women and Modern World	Center Women and Modern World;
UNPO	The Unrepresented Nations and People Organization.

Joint submissions:

JS1	**Joint submission 1 submitted by**: Article 19 Freedom Now, Index on Censorship, Institute for Reporters' Freedom and Safety, International Media Support, PEN International and Reporters without Borders, London,(The United Kingdom of Northern Ireland and Great Britain);
JS2	**Joint submission 2 submitted by**: Election Monitoring and Democracy Studies Center, Economic Research Center, Public Association for Assistance to Free Economy and Centre for Civil and Political Rights;
JS3	**Joint submission 3 submitted by**: Election Monitoring and Democracy Studies Centre, Human Rights Club, Legal Education Society, Human Rights House Foundation.

Regional intergovernmental organization(s):

CoE	The Council of Europe, Strasbourg (France); Attachments;
ODHIR-OSCE	The Office of Democratic Institutions and Human Rights.

Organization for Security and Co-operation in Europe, Vienna Austria.

[2] The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

[3] For relevant recommendations see A/HRC/24/13, paras.109.1-109.12.
[4] Forum 18, para. 3.
[5] For relevant recommendations, see A/HRC/24/13, paras. 109.13-109.17.
[6] JS1, paras 3-5.
[7] For relevant recommendations, see /HRC/24/13, paras. 109.55, 109.62-109.63, 109.141, 110.3.
[8] JS3, para 35.
[9] JS3, para 36.
[10] Women and Modern World, para 53.
[11] Women and Modern World, para 54.
[12] Women and Modern World, para 65.
[13] For relevant recommendations, see A/HRC/24/13, paras. 109.37, 109.46.
[14] Crude Accountability, p.1.
[15] Crude Accountability, p.1.
[16] Crude Accountability, p.2.
[17] Crude Accountability, p.3.
[18] For relevant recommendations, see A/HRC/24/13, paras. 109.70-109.78, 109.92-109.95.
[19] ODVV, p.2.
[20] ODVV, p.3.
[21] HRW, pp. 6-7.
[22] HRW, p. 7.
[23] Forum 18, para. 8.
[24] CoE submission, p. 5.
[25] For relevant recommendations, see A/HRC/24/13, paras. 109.90, 109.96-109.99, 110.1.
[26] IBAHRI, para 4.1.
[27] IBAHRI, para 4.9.
[28] JS3, para 11.

[29] International Commission of Jurists, para 10.
[30] International Commission of Jurists, para 15.
[31] International Commission of Jurists, para 17.
[32] Lawyers for Lawyers, paras 9-11.
[33] IBAHRI, para 4.17.
[34] CoE submission p. 7. See linked attachment on p. 7.
[35] For relevant recommendations, see A/HRC/24/13, paras. 109.26-109.29, 109.79, 109.102-109.140 and 110.2.
[36] ADF, para. 4.
[37] ECLJ, para 5.
[38] ECLJ, para 7. See also Forum 18, para 17.
[39] Freedom Now, para 16 and 18 and ADF International, para 6. See also UNPO, para 13.
[40] ECLJ, paras 10-12.
[41] Forum 18, paras 2-8, para 22. See also UNPO, para 14.
[42] Freedom Now, para 15.
[43] Forum 18, para 12.
[44] Forum 18, para 13.
[45] JS1, paras 10-11.
[46] JS1, para 12.
[47] JS2, para 21, IPHR, para 3.11 and Human Rights Watch, p. 5.
[48] JS2, para 22.
[49] Human Rights Watch, p.1 and Freedom Now, para 5.
[50] JS1, para 17.
[51] JS1, para 19.
[52] JS1, paras 6-8.
[53] JS2, para 16, IPHR, paras 3.10-3.11 and Human Rights Watch, p.2, see also ODVV, p.2.
[54] Freedom Now, para 6.
[55] JS1, para 21.
[56] JS1, para 22, IPHR, paras 3.4-3.8 and Human Rights Watch, p.4.
[57] JS1, para 29.
[58] JS1, para 30.
[59] JS1, para 31.
[60] Human Rights Watch, p.2 and JS1, para 28.
[61] ODHIR-OSCE, p. 3.
[62] IPHR, paras 1.19-1.12 and JS1, paras 33-35.
[63] JS1, paras 33-35.
[64] JS2, para 4, JS3, para 4, IPHR, paras 1.2-1.4 and Human Rights Watch, p. 6.
[65] JS1, para 36. See also IPHR, para 1.6.
[66] JS1, paras 36-37.
[67] JS1, para 40.
[68] JS2, para 5.
[69] JS1, para 40 and IPHR, paras 2.3-2.4.
[70] Freedom Now, para 7.
[71] JS1, para 40. See also JS3, para 13.
[72] ODHIR-OSCE, p. 2.
[73] For relevant recommendations, see A/HRC/24/13, paras. 109.84-109.87.
[74] CoE submission, p. 6. See linked attachment on p. 6.
[75] For relevant recommendations, see.
[76] Women and Modern World, para. 46.
[77] Women and Modern World, para 56.
[78] Women and Modern World, para 56.
[79] For relevant recommendations, see A/HRC/24/13, paras. 109.66, 109.151.
[80] CoE submission p. 10. See linked attachment on p. 10.
[81] CoE submission p. 10. See linked attachment on p. 10.
[82] Women and Modern World, para. 7.
[83] CoE submission, p. 6. See linked attachment on p. 6.

[84] CoE submission, p. 10. See linked attachment on p. 10.
[85] For relevant recommendations, see A/HRC/24/13, paras. 109.37, 109.141, 109.45-109.47 and 109.54.
[86] CoE submission, p. 3.
[87] For relevant recommendations, see A/HRC/24/13, paras. 109.42-109.46 and 109.149.
[88] CoE submission, p. 10. See linked attachment on p. 10.
[89] Women and Modern World, para 35.
[90] Women and Modern World, para 33.
[91] Women and Modern World, para 29.
[92] Women and Modern World, paras 68 and 72.
[93] For relevant recommendations, see A/HRC/24/13, paras. 109.144, 109.148-109.149.
[94] Women and Modern World, para 5.
[95] Women and Modern World, para 23.
[96] CoE submission, p. 6. See linked attachment on p. 6.
[97] For relevant recommendations, A/HRC/24/13, paras. 109.55-109.67, 109.80-109.83, 109.100-109.101.
[98] JS3, paras 30-32.
[99] JS3, para 33.
[100] Advocates for Human Rights, para 17.
[101] Advocates for Human Rights, para 1.
[102] Women and Modern World, para 11.
[103] Advocates for Human Rights, para 6.
[104] Advocates for Human Rights, para 14.
[105] Advocates for Human Rights, para 6.
[106] Advocates for human Rights, para 7.
[107] Women and Modern World, para 16.
[108] Women and Modern World, para 15.
[109] Women and Modern World, para 16.
[110] For relevant recommendations, see A/HRC/24/13, paras. 109.25, 109.48-109.50, 109.59, 109.82, 109.89, 109.96-109.97, 109.141, 109.152-109.154.
[111] CoE submission, p. 10. See linked attachment on p. 10.
[112] CoE submission, p. 10. See linked attachment on p. 10.
[113] GIEACP, para 2.
[114] GIEACP, para 1.3.
[115] Women and Modern World, para 21.
[116] Women and Modern World, para 23.
[117] Women and Modern World, para 26.
[118] Women and Modern World, para 33.
[119] Women and Modern World, paras 35 and 41.
[120] For relevant recommendations, see A/HRC/24/13, paras. 109.150-109.155.
[121] CoE submission, p. 10. See linked attachment on p. 10.
[122] CoE submission, p. 10. See linked attachment on p. 10.
[123] For relevant recommendations, see A/HRC/24/13, paras. 109.141.
[124] CoE Submission, p. 6. See linked attachment on p. 6.
[125] UNPO, para 10.
[126] UNPO, para 9.
[127] UNPO, para 11.
[128] UNPO, para 12.
[129] UNPO, para 16.
[130] UNPO, para 19.
[131] UNPO, para 20.
[132] For relevant recommendations, see A/HRC/24/13, paras. 109.68-109.69, 109.141, 109.156-109.158.
[133] CoE submission, p. 6. See linked attachment on p. 6.
[134] CoE submission, p. 6. See linked attachment on p. 6.
[135] CoE submission, p. 6. See linked attachment on p. 6.
[136] CoE submission, p. 6. See linked attachment on p. 6.
[137] CoE submission, p. 6. See linked attachment on p. 6.

[138] CoE submission, p. 6. See linked attachment on p. 6.